

FILED
SAN MATEO COUNTY

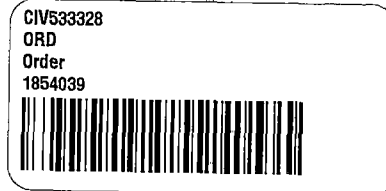
MAY 31 2019

Clerk of the Superior Court

By M. Es
DEPUTY CLERK

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Facebook, Inc.



SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF SAN MATEO

SIX4THREE, LLC, a Delaware limited liability
company,

Plaintiff,

v.

FACEBOOK, INC., a Delaware corporation;
MARK ZUCKERBERG, an individual;
CHRISTOPHER COX, an individual;
JAVIER OLIVAN, an individual;
SAMUEL LESSIN, an individual;
MICHAEL VERNAL, an individual;
ILYA SUKHAR, an individual; and
DOES 1-50, inclusive,

Defendants.

Case No. CIV 533328

Assigned for all purposes to Hon. V. Raymond
Swope, Dept. 23

**~~PROPOSED~~ ORDER RE: FORENSIC
EXAMINER**

Date: May 10, 2019
Time: 9:00 a.m.
Dept: 23 (Complex Civil Litigation)
Judge: Honorable V. Raymond Swope

FILING DATE: April 10, 2015
TRIAL DATE: April 25, 2019

1 In Case Management Order No. 22, the Court appointed J. Christopher Racich, President of
2 Vestigant, as the neutral third party forensic examiner ("Forensic Examiner"). Case Management Order
3 No. 22 at 1 (Apr. 2, 2019). Costs for the retention and services of the Forensic Examiner were to be
4 initially borne solely by Facebook due to Six4Three's inability to pay. *Id.* The Court vacates the portion
5 of Case Management Order No. 22 stating that the "[c]osts for the retention and services of the Forensic
6 Examiner will be initially borne solely by Facebook due to Six4Three's inability to pay, without
7 prejudice to Facebook seeking reimbursement from Six4Three at a future date."

8 At the hearing on May 10, 2019, Defendant Facebook, Inc. ("Facebook") stipulated to paying the
9 Forensic Examiner's storage costs for all data and documents the Forensic Examiner has collected in this
10 action, subject to its ability to seek reimbursement for these costs in the future from Plaintiff Six4Three,
11 LLC, or other relevant individuals, including Mr. Theodore Kramer or Mr. Thomas Scaramellino.

12 Pursuant to Facebook's stipulation, and subject to that reservation of rights, Facebook shall pay
13 the Forensic Examiner's storage costs for all data and documents the Forensic Examiner has collected in
14 this action.

15 **IT IS SO ORDERED.**

16 Dated: MAY 31 2019


HON. V. RAYMOND SWOPE
SUPERIOR COURT JUDGE